

From: Randy Ennis
To: Microsoft ATR
Date: 12/12/01 1:05pm
Subject: Inadequate remedy in Microsoft v. Dept. of Justice

As a citizen negatively affected by the actions of Microsoft in maintaining its monopoly, I would like to offer my views concerning the proposed remedy in this case.

As the proposal currently stands, there is little, if any, actual penalty to Microsoft. In addition, Microsoft is currently engaging in sponsoring legislation which would, in effect, make it illegal and "UnAmerican" for me to continue using the open source operating system (Linux) which I currently use.

A more appropriate solution might be as follows:

1. Require Microsoft to publicly document its file formats, to allow complete interoperability with other software/operating systems. This could help sponsor more competition in the market place by allowing companies to develop software which would be able to read and create files compatible with Microsoft Office products. One of the most common complaints is from people who cannot (or do not know how) to read documents produced by competing manufacturers' products. Another on-going problem is that when Microsoft "upgrades" its office products, documents produced in the upgraded version are unreadable by prior versions of the software, effectively requiring that companies and individuals spend millions of dollars "upgrading" software simply to be able to read documents from other users. No other software company has been as egregious in this as Microsoft. Most manufacturers will attempt to provide some form of backward compatibility, even in a new format, if at all possible. Not so, Microsoft. In addition, other manufacturers are unable to provide software which will read/write these formats, as they are completely closed to anyone outside Microsoft unless an expensive Non-Disclosure Agreement is completed, which many small companies cannot afford, effectively locking them out of real competition.

2. Require Microsoft to publicly document all networking protocols. The future for the world is in networking interoperability, and Microsoft has done much to proprietize public protocols, making it difficult, and sometimes impossible, to create software with full interoperability with Microsoft's protocols. If these protocols were publicly documented, it would benefit users the world over, by allowing software to be developed which would be able to interoperate correctly with all other software. It would also allow more secure products to be developed, security being an area in which Microsoft has an abysmal record. Security is probably one of the most important areas in which the open source community can contribute, as it is the most secure software available, as security updates are available usually within hours of discovery, and due to the open nature of the source code, companies and individuals are constantly testing and updating it to make it more secure.

3. Remove Microsoft's close alliances with hardware vendors. As it stands today, it is nearly impossible to purchase a new PC from any major vendor without some form of Windows operating system and software already installed. This should be an extra-cost option available from the manufacturer, allowing the vendor to offer any other available operating system of it's choice, or even a "bare" computer to which the user may add his own operating system/applications.

4. All API's (Application Programming Interfaces) must be publicly documented, including currently "undocumented" ones. Microsoft has always maintained a lead over other developers by being able to utilize publicly undocumented features of it's operating systems to enhance certain performance characteristics of its software. These should be opened to the public to allow manufacturers to create software which can take advantage of currently unknown features, allowing users to experience software which can enhance their experience in computing, rather than requiring manufacturers to devise "work-arounds" to enable features in their software.

I would also advise close government oversight on Microsoft's new .Net initiative (including Passport). The wording of licensing agreements for these initiatives indicates that Microsoft doesn't want to play fairly in any field upon which it decides to play, and could allow Microsoft to effectively steal ideas simply because they were created using these services.

I hope that you will consider adding these restrictions to any penalty brought to bear against Microsoft. It is only by cooperation and openness that we will be able to fully realize the promise of this new "electronic age". Indeed, it was those traits, along with the willingness to express new ideas and follow new dreams, which helped to create the greatest country on Earth. Don't allow Microsoft to trample upon these ideals.

Sincerely,

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